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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,301	10/11/2001	Steve Grove	3801.P053	1851

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EXAMINER

ENGLAND, DAVID E

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/976,301

Applicant(s)

GROVE, STEVE

Examiner

David E. England

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) *
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
• Paper No(s)/Mail Date 2/13/02, 8/21/02, 10/28/02, 11/27/02, 1/26/04, 2/5/04, 4/7/04, 4/12/04, 7/2/04, 7/6/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 44 are presented for examination.

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “said entity information further comprises a language preference of said second entity” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

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2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 3, 5, 6, 9 – 14, 16, 17, 20 – 25, 27, 28, 31 – 36, 38, 39 and 42 – 44 are rejected under 35 U.S.C. 102(e) as being anticipated by Nosohara U.S. Patent No. 6571241.

4. Referencing claim 1, as closely interpreted by the Examiner, Nosohara teaches a method to facilitate translation of communications between entities over a network, said method comprising:

5. communicating a plurality of predetermined language constructs to a first entity as a first transmission over said network, (e.g. col. 7, lines 19 – 32);

6. responsive to selection by said first entity of a language construct of said plurality of predetermined language constructs, identifying a translated language construct corresponding to said selected language construct, (e.g. col. 7, lines 33 – 37); and

7. communicating said translated language construct to a second entity as a second transmission over said network, (e.g. col. 11, lines 42 – 57).

8. Referencing claim 2, as closely interpreted by the Examiner, Nosohara teaches communicating a plurality of interactive fields to said second entity in said second transmission to allow said second entity to interact with at least one interactive field of said plurality of interactive fields in response to said translated language construct, (e.g. col. 2, lines 44 – 57).

9. Referencing claim 3, as closely interpreted by the Examiner, Nosohara teaches retrieving entity information relating to said second entity based on an identifier of said second entity selected by said first entity, (e.g. col. 2, lines 44 – 57); and

10. retrieving said translated language construct from a table based on said entity information and said selected language construct, (e.g. col. 2, lines 44 – 57).

11. Referencing claim 5, as closely interpreted by the Examiner, Nosohara teaches said selected language construct is a predetermined question to be asked by said first entity in an electronic commerce transaction over said network, (e.g. col. 8, lines 37 – 60, “*Simple Search, Expert Search, Japanese, English*”).

12. Referencing claim 6, as closely interpreted by the Examiner, Nosohara teaches said first transmission is a Hyper Text Markup Language (HT'IP) message, (e.g. col. 8, lines 8 – 16).

13. Referencing claim 9, as closely interpreted by the Examiner, Nosohara teaches said translated language construct is generated and stored, and said correspondence to said selected language construct is defined, prior to communication of said plurality of language constructs to said first entity as said first transmission, (e.g. col. 5, lines 35 – 48 & col. 17, lines 20 – 33).

14. Referencing claim 10, as closely interpreted by the Examiner, Nosohara teaches at a network-based transaction facility, storing said plurality of predetermined language constructs

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and an associated plurality of translated language constructs so as to define a correspondence between each language construct of said plurality of predetermined language constructs and at least one associated translated language construct of said plurality of translated language constructs, (e.g. col. 5, lines 35 – 48).

15. Referencing claim 11, as closely interpreted by the Examiner, Nosohara teaches said storing is so as to define a correspondence between a set of said plurality of translated language constructs, each translated language construct of said set comprising a predetermined translation of a common underlying language construct, (e.g. col. 5, lines 35 – 48 & col. 17, lines 20 – 33).

16. Claims 12 – 14, 16, 17, 20 – 25, 27, 28, 31 – 36, 38, 39 and 42 – 44 are rejected for similar reasons as stated above.

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 4, 7, 8, 15, 18, 19, 26, 29, 30, 37, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nosohara (6571241) in view of Christy (6301554).

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19. As to claim 4, as closely interpreted by the Examiner, Nosohara does not specifically teach said entity information further comprises a language preference of said second entity. Christy teaches said entity information further comprises a language preference of said second entity, (e.g. col. 2, line 47 – col. 3, line 3, “...*invention receive the message translated into their native languages, and their responses are automatically translated into the original sender's language upon their arrival...*”). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Christy with Nosohara because it would be more convenient for the user to only be exposed to his or her native language and not have to be bothered with miss interpreting languages they would have a minimal or no understanding of.

20. As to claim 7, as closely interpreted by the Examiner, Nosohara does not specifically teach said second transmission is an electronic mail message. Christy teaches said second transmission is an electronic mail message, (e.g. col. 2, line 47 – col. 3, line 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Christy with Nosohara because of similar reasons stated above, also utilizing email gives users the ability to communicate with other users across a network.

21. As to claim 8, as closely interpreted by the Examiner, Nosohara does not specifically teach said identifier of said second entity is an electronic mail address of said second entity. Christy teaches said identifier of said second entity is an electronic mail address of said second entity, (e.g. col. 2, line 47 – col. 3, line 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Christy with Nosohara because of similar

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reasons stated above. Furthermore, in an email system, in order to send a message, one must have a type of identifier, "an address", or the email cannot be sent.

22. Claims 15, 18, 19, 26, 29, 30, 37, 40 and 41 are rejected for similar reasons as stated above.

Conclusion

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

24. a. Moser et al. U.S. Patent No. 6275789 discloses Method and apparatus for performing full bidirectional translation between a source language and a linked alternative language.

25. b. Amith U.S. Patent No. 6363337 discloses Translation of data according to a template.

26. c. Herbert, III U.S. Patent No. 6018742 discloses Constructing a bifurcated database of context-dependent and context-independent data items.

27. d. Malatesta et al. U.S. Patent No. 5442782 discloses Providing information from a multilingual database of language-independent and language-dependent items.

28. e. Veditz et al. U.S. Patent No. 6507813 discloses System and method for national language support.

29. f. Li et al. U.S. Patent No. 6205418 discloses System and method for providing multiple language capability in computer-based applications.

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30. g. Hetherington et al. U.S. Patent No. 6460015 discloses Method, system and computer program product for automatic character transliteration in a text string object.

31. h. Tazoe et al. U.S. Patent No. 6326985 discloses Display apparatus and method for controlling the same.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912. The examiner can normally be reached on Mon-Thur, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David E. England
Examiner
Art Unit 2143

De

William C. Vaughn
Primary Examiner
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William C. Vaughn